

2005 DRAFTING REQUEST

Bill

Received: **01/03/2005**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Revisor of Statutes**

By/Representing: **Bruce**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Revisor's correction bill

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 01/03/2005	csicilia 02/18/2005					
/P1		csicilia 03/03/2005	pgreensl 02/18/2005		lemery 02/18/2005		
/P2		csicilia 03/07/2005	pgreensl 03/03/2005		lnorthro 03/03/2005		
/1			rschluet 03/07/2005		lnorthro 03/07/2005	mbarman 09/29/2005	

FE Sent For:

none needed

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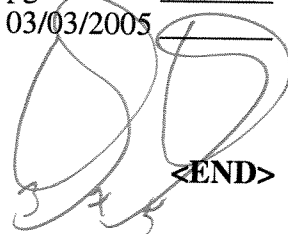
See Attached

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/P2			pgreensl 03/03/2005		lnorthro 03/03/2005		

FE Sent For:

1 gjs
3/7
05


<END>

PA's:
This is a /1
version of a
Revisor's Bill

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/?	chanaman 01/03/2005	csicilia 02/18/2005					
/P1			pgreensl 02/18/2005		lemery 02/18/2005		
FE Sent For:	1/P2 gjs 3/3 05		3/3 p8	3/3 ps <END>			

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/?	chanaman	P1 js 2/18/05	7/18	7/18			
			PD	PS 1/20			

FE Sent For:

<END>

Please return to LRB when you have finished reviewing.

2005 - 2006 LEGISLATURE

LRB-1443/0

P1

Soon

BEM

cjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's bill:
Do NOT Gen Cat
Do NOT Sort

⑨ ***** NOTE: Should the relating clause have the phrase "supplying omissions" added in, to cover the treatment of s. 229.844(8)(c)? CJS

***** Note: Is the sentence about commas needed in the analysis? CJS

1

AN ACT ...; relating to: ???

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

(END)

INS X

⑩ ***** NOTE: Please review my changes to the NOTE under SECTION 1. Also, is this correction really "repelling an unintended repeal" (as indicated in the relating clause), given that the repeal of s. 66.067 is not being reversed? CJS

⑪ ***** NOTE: I made a small change in the NOTE under SECTION 2. CJS

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

this is 05-1443/P1 ins CJS

LRB
.....

INS X

1

2 AN ACT relating to: amending and revising section 66.0621 (1) (b) and 229.844
3 (8) (c) of the statutes for the purpose of reconciling conflicts and repelling
4 unintended repeals (Revisor's Correction Bill).

Analysis by the Legislative Reference Bureau

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas before after the last item in a series are added throughout this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 66.0621 (1) (b) of the statutes is amended to read:

6 66.0621 (1) (b) "Public utility" means any revenue producing facility or
7 enterprise owned by a municipality and operated for a public purpose as defined in
8 s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis
9 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,
10 city halls, village halls, town halls, courthouses, jails, schools, cooperative
11 educational service agencies, hospitals, homes for the aged or indigent, child care
12 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal
13 operations, sewerage systems, local professional baseball park facilities, local
14 professional football stadium facilities, local cultural arts facilities, and any other
15 necessary public works projects undertaken by a municipality.

provided, in
s. 66.067, that

use 2x

Similarly

NOTE 1999 Wis. Act 65 authorized the creation of a local cultural arts districts and included local cultural arts facilities within the definition of "public utility" in s. 66.067. 1999 Wis. Act 167 authorized the creation of a local professional football district and included local professional football stadium facilities within the definition of "public utility" in s. 66.067. 1999 Wisconsin Act 150 repealed s. 66.067 without taking into

Wis.

and added to the definition of "public utility" under s. 66.066(1)(b) the list of facilities which s. 66.067 had identified as public utilities. At the same time, Act 150 renumbered s. 66.066(1)(b) to be s. 66.0621(1)(b) @

are public utilities within the meaning of s. 66.066."

use 2x

However, Act 150 did not take into

- 2 -

LRB

of s. 66.067

and so failed to include local cultural arts facilities and professional football stadium facilities in the definition of "public utility" in the new s. 66.0621 (1)(b)

account the treatments by Acts 65 and 167. It appears there was no intent in the Act 150 repeal to effect any substantive change. A note to the treatment of s. 66.067 by Act 150 states that the act "repeals s. 66.067, relating to permissible public works projects, since the substance of the section has been incorporated into s. 66.0621 (1) (b)." Further, the prefatory note to Act 150 states:

This bill is recommended by the joint legislative council's special committee on general municipal law recodification. The special committee was directed to recodify chapter 66 of the statutes by the process of reorganization into logical subchapters, sections and subunits, repeal of unnecessary or archaic and obsolete language, relocation of those provisions more appropriately placed elsewhere in the statutes and modernization of language where appropriate. The special committee was directed to refrain from recommending substantive changes that would significantly affect relationships between governmental units or engender substantial controversy in the legislative process.

SECTION 2. 229.844 (8) (c) of the statutes is amended to read:

229.844 (8) (c) No director, employee of the district nor any other person executing any agreements with respect to any bonds or other obligations under this subsection is personally liable on the obligations or subject to any personal liability or accountability by reason of the issuance of such obligations.

NOTE: Inserts missing word. This provision relating to employees and directors of and persons executing bonds for cultural arts districts, created by 1999 Wis. Act 65, is amended for consistency and parallel construction with ss. 229.48 (6), 229.72 (6), and 229.829 (3), which provide identical treatment of employees and directors of, and persons executing bonds for, local exposition districts, local professional baseball parks districts, and local professional football stadiums districts, respectively.

and

STEF: keep this comma

End INS X>

PLEASE RETURN to LRB when you have finished reviewing.



State of Wisconsin
2005 - 2006 LEGISLATURE

SOON

LRB-1443/P1

BEM:cjs:pg

stays

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
Do NOT Gen Cat
Do NOT Sort

- 1 AN ACT relating to: amending and revising sections 66.0621 (1) (b) and 229.844
2 (8) (c) of the statutes for the purpose of reconciling conflicts, and repelling ^{supplying omissions,}
3 unintended repeals (Revisor's Correction Bill).

Analysis by the Legislative Reference Bureau

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas before the last item in a series are added throughout this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 66.0621 (1) (b) of the statutes is amended to read:
5 66.0621 (1) (b) "Public utility" means any revenue producing facility or
6 enterprise owned by a municipality and operated for a public purpose as defined in
7 s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis
8 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,
9 city halls, village halls, town halls, courthouses, jails, schools, cooperative

1 educational service agencies, hospitals, homes for the aged or indigent, child care
2 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal
3 operations, sewerage systems, local professional baseball park facilities, local
4 professional football stadium facilities, local cultural arts facilities, and any other
5 necessary public works projects undertaken by a municipality.

NOTE: 1999 Wis. Act 65 authorized the creation of a local cultural arts districts and provided, in s. 66.067, that local cultural arts facilities "are public utilities within the meaning of s. 66.066." Similarly, 1999 Wis. Act 167 authorized the creation of a local professional football district and provided, in s. 66.067, that local professional football stadium facilities "are public utilities within the meaning of s. 66.066." 1999 Wis. Act 150 repealed s. 66.067 and added to the definition of "public utility" under s. 66.066 (1) (b) the list of facilities which s. 66.067 had identified as public utilities. At the same time, Act 150 renumbered s. 66.066 (1) (b) to be s. 66.0621 (1) (b). However, Act 150 did not take into account the treatments of s. 66.067 by Acts 65 and 167 and so failed to include local cultural arts facilities and professional football stadium facilities in the definition of "public utility" in the new s. 66.0621 (1) (b). It appears there was no intent in the Act 150 repeal to effect any substantive change. A note to the treatment of s. 66.067 by Act 150 states that the act "[r]epeals s. 66.067, relating to permissible public works projects, since the substance of the section has been incorporated into s. 66.0621 (1) (b)." Further, the prefatory note to Act 150 states:

This bill is recommended by the joint legislative council's special committee on general municipal law recodification. The special committee was directed to recodify chapter 66 of the statutes by the process of reorganization into logical subchapters, sections and subunits, repeal of unnecessary or archaic and obsolete language, relocation of those provisions more appropriately placed elsewhere in the statutes and modernization of language where appropriate. The special committee was directed to refrain from recommending substantive changes that would significantly affect relationships between governmental units or engender substantial controversy in the legislative process.

6 **SECTION 2.** 229.844 (8) (c) of the statutes is amended to read:

7 229.844 (8) (c) No director, employee of the district nor any other person
8 executing any agreements with respect to any bonds or other obligations under this
9 subsection is personally liable on the obligations or subject to any personal liability
10 or accountability by reason of the issuance of such obligations.

NOTE: Inserts missing word. This provision, created by 1999 Wis. Act 65, and relating to employees and directors of, and persons executing bonds for, cultural arts districts, is amended for consistency and parallel construction with ss. 229.48 (6), 229.72 (6), and 229.829 (3), which provide identical treatment of employees and directors of, and persons executing bonds for, local exposition districts, local professional baseball park districts, and local professional football stadium districts, respectively.

****NOTE: Should the relating clause have the phrase "supplying omissions" added in, to cover the treatment of s. 229.844 (8) (c)? CJS

****NOTE: Is the sentence about commas needed in the analysis? CJS

****NOTE: Please review my changes to the NOTE under SECTION 1. Also, is this correction really "repelling an unintended repeal" (as indicated in the relating clause), given that the repeal of s. 66.067 is not being reversed? CJS

****NOTE: I made a small change in the NOTE under SECTION 2. CJS

(END)

Let's leave it, the repeal by Act 100 of 66.067 ultimately caused the problem



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1443/P2

BEM:cjs:pg

TODAY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
Do NOT Gen Cat
Do NOT Sort

- 1 AN ACT relating to: amending and revising sections 66.0621 (1) (b) and 229.844
2 (8) (c) of the statutes for the purpose of reconciling conflicts, supplying
3 omissions, and repelling unintended repeals (Revisor's Correction Bill).

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1 educational service agencies, hospitals, homes for the aged or indigent, child care
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10 or accountability by reason of the issuance of such obligations.

NOTE: Inserts missing word. This provision, created by 1999 Wis. Act 65, and relating to employees and directors of, and persons executing bonds for, cultural arts districts, is amended for consistency and parallel construction with ss. 229.48 (6), 229.72 (6), and 229.829 (3), which provide identical treatment of employees and directors of, and


persons executing bonds for, local exposition districts, local professional baseball park districts, and local professional football stadium districts, respectively.

1

(END)

for Senate

Please Tacket the following
Revisor's bills:



LRB - 1443/1
LRB - 0952/1
LRB - 2183/1
LRB - 2304/1

Thanks,

Jon Dyke